

CABINET
14th MARCH 2017

Minutes of the meeting of the Cabinet of Flintshire County Council held in the Clwyd Committee Room, County Hall, Mold on Tuesday, 14th March 2017.

PRESENT: Councillor Shotton (Chair)

Councillors: Bernie Attridge, Chris Bithell, Helen Brown, Derek Butler, Christine Jones, Kevin Jones and Billy Mullin.

(Councillor Attridge chaired the meeting up to and including agenda item number 7, minute number 165).

IN ATTENDANCE:

Chief Executive, Chief Officer (Community and Enterprise), Chief Officer (Education and Youth), Chief Officer (Governance), Chief Officers (Organisational Change), Chief Officer (Social Services), Chief Officer (Streetscene and Transportation), Finance Manager, Enterprise and Regeneration Manager and Team Leader – Democratic Services.

OTHER MEMBERS IN ATTENDANCE:

Councillor: Carolyn Thomas.

160. DECLARATIONS OF INTEREST

Councillor Attridge declared personal interests in agenda item number 7 – Strategic Housing and Regeneration Programme – Batch 3 Proposed Schemes, agenda item number 8 – Commuted Sums and Shared Equity Redemption Payment Policy, and agenda item number 14 – School Admission Arrangements.

Councillor Kevin Jones declared personal interests in agenda item number 6 – Social Services Annual Report and agenda item number 14 – School Admission Arrangements, and a personal and prejudicial interest in agenda item number 18 – Alternative Delivery Model Social Care Learning Disability Day Care and Work Opportunity Services.

Councillors Helen Brown, Christine Jones, Billy Mullin and Aaron Shotton declared a personal interest in agenda item number 14 – School Admission Arrangements.

161. MINUTES

The minutes of the meetings held on 14th February 2017 had been circulated with the agenda.

RESOLVED:

That the minutes be approved as a correct record.

162. COUNCIL'S WELL-BEING OBJECTIVES

The Chief Executive introduced the Well-being objectives report. The Well-being of Future Generations (Wales) Act 2015 required named statutory bodies to set and publish Well-being Objectives; those objectives had been set as part of forward improvement planning.

The set of Well-being objectives supported the seven national Well-being goals and the priorities and ambitions of the Council and they aligned well with the priorities of the Improvement Plan and future strategic objectives.

Due to the timing of the objectives in that they needed to be set and published by the end of March 2017, it was possible that the new Council, following the elections, might want to amend the objectives.

The report had been submitted to the recent Corporate Resources Overview and Scrutiny Committee meeting which recommended that the words 'household and business' be deleted on the third Green Council objective, which was agreed. It had also been recommended that an objective be included on Community Safety and the suggestion was that under the objective Caring Council, a third bullet point be included of 'Making communities safe places by working with partners to prevent crime, repeat crime and anti-social behaviour' which was also agreed.

RESOLVED:

That the draft Well-Being objectives be approved, subject to the amendments above being made.

163. CUSTOMER SERVICE STRATEGY

Councillor Mullin introduced the Customer Service Strategy report which was a replacement for the Customer Services Strategy 2010-2013.

The strategy was structured around the following three workstreams:

1. Face to face
2. Telephone
3. Digital

Each workstream listed high level outcomes to be achieved by the end of the strategy that would be supported by an annual action plan providing more details and precise timescales. The strategy was closely aligned with the Digital Strategy and shared a Digital Customer workstream.

The Council's future service delivery was focussed on simplifying the way customers accessed services, understanding their journey with the Council, giving customers control over the services they used, and listening to and responding to feedback. Services which could be delivered digitally would be developed, allowing expensive resources to be focussed on those services which could not be delivered digitally to support the most vulnerable customers.

The Chief Executive explained that the report had been considered at the recent Corporate Resources Overview and Scrutiny Committee and a commitment had been given on improving response times to customer enquiries.

RESOLVED:

That the Customer Service Strategy be adopted.

164. SOCIAL SERVICES ANNUAL REPORT

Councillor Christine Jones introduced the Social Services Annual Report which looked at the performance of the local authority's delivery of its social care functions and improvement priorities.

The purposes of the Social Services Annual Report was to set out the improvement journey and evaluate Social Services' performance in providing services to people that promoted their wellbeing and supported them to achieve their personal outcomes.

The report format had changed and was now more closely aligned to the National Outcomes Framework which would demonstrate performance in meeting the wellbeing outcomes of people in Flintshire. The report would form an integral part of the Care and Social Services Inspectorate Wales (CSSIW) performance evaluation of Flintshire Social Services.

The overall assessment was that Social Services in Flintshire continued to drive forward service improvement, ensuring there was an effective range of good quality services that supported and protected vulnerable people. The Annual Report also outlined the improvement priorities identified for 2017/18 which were detailed in the report.

The Chief Officer (Social Services) said Flintshire was one of the first local authorities to submit their Annual Report to a Cabinet meeting and he thanked the work of the Social and Health Care Overview and Scrutiny Committee who had provided a clear steer on the style of the document which had then been produced by Double Click.

RESOLVED:

That the report, which provides an accurate and clear account of social care in Flintshire, be endorsed.

165. STRATEGIC HOUSING AND REGENERATION PROGRAMME – BATCH 3 PROPOSED SCHEMES

Councillor Brown introduced the Strategic Housing and Regeneration Programme (SHARP) Batch 3 Proposed Schemes report which sought approval to progress the next key stages of the Council's SHARP programme. This included a

detailed scheme of viability works on a range of sites which could potentially deliver an additional 363 social rent, affordable rent and affordable purchase homes.

The Chief Officer (Community and Enterprise) explained that the sites to be included in the programme were at various stages of development. Some sites were in the Council's ownership and some were the subject of commercial purchase negotiations. The sites outlined in paragraphs 1.21 and 1.22 should be discounted as they had been included in error.

Site feasibility works were required on some sites to progress them further and those that were at the most advanced stages were outlined in the report with details of each site, including site plans. The report also provided an update on the new Welsh Government (WG) Capital Funding availability which would help to expand the SHARP.

The original target for Council housing was to build 200 homes over 5 years. The report identified that 277 could be built which could be increased further if the borrowing cap was lifted.

Following the Cabinet meeting wider consultation would commence.

Councillor Attridge praised the officers and the Cabinet Member for the work on the scheme which saw Flintshire County Council leading the way in Council house building which was a result of the direction of Cabinet. Other Cabinet Members also paid tribute to the officers which resulted in the successful scheme coming to fruition.

In response to a question from Councillor Bithell, the Chief Officer (Community and Enterprise) explained that the level of consultation carried out varied from scheme to scheme and was dependent on the stage of the process at each site. The Chief Executive added that following the local election, part of the induction for Members would include details of any schemes underway or planned in their ward. He added that housing was a focal point in the Regional Growth Strategy and suggested an additional recommendation to read "Flintshire County Council's call for lifting of the borrowing cap is formally included in the Regional Economic Growth Strategy" which was supported.

RESOLVED:

- (a) That the development of 363 new homes be agreed in principle as part of the Council's house building programme (SHARP). This will include 195 Council properties, 95 properties for affordable rent and 73 properties for affordable purchase;
- (b) That sites investigation costs of £421,616k be approved so that full scheme appraisals can be completed ahead of final approval. These will be apportioned as follows, 66% HRA cost (£278,266) and 44% Council Fund cost (£143,350) met by NEW Homes should development proceed; and
- (c) That Flintshire County Council's call for lifting of the borrowing cap is formally included in the Regional Economic Growth Strategy.

166. COMMUTED SUMS AND SHARED EQUITY REDEMPTION PAYMENT POLICY

Councillor Brown introduced the Commuted Sums and Shared Equity Redemption Payment Policy report which considered the use of commuted sums derived for the purposes of affordable housing.

The Chief Officer (Community and Enterprise) explained that the report reviewed the use of commuted sums and provided updated recommendations in the context of recent Section 106 agreements and the Council's commitment and priority to building affordable homes across Flintshire through the Strategic Housing and Regeneration Programme (SHARP). An overview was also provided on the Shared Equity redemption payments and how it could be used to deliver affordable housing across Flintshire.

The table in the report outlined the commuted sums received to date. The Council had agreed that commuted sums could be used in a number of ways and required flexibility to do so and that approach was reflected in the Section 106 agreement. The rationale for the approach to commuted sums as outlined in the report would:

- Provide the most efficient use of the funding as it would enable the Council to maximise the SHARP funding; and
- Ensure affordable housing was delivered in areas that were less attractive for market led development or on sites which were harder to develop, such as brownfield sites owned by the Council.

In response to a question from Councillor Bithell, the Chief Officer (Community and Enterprise) confirmed that all local Members would be consulted at the appropriate time.

RESOLVED:

- (a) That Cabinet agreed:
- Where a commuted sum is paid to the Council in lieu of on-site affordable housing provision, these monies must be prioritised for the relevant Community Council area; and
 - Where a commuted sum is received an on-site affordable housing has been provided as part of the Section 106 agreement, the monies can be utilised as part of the Council's priority for developing affordable homes across Flintshire through SHARP
- (b) That Cabinet support the approach to the Shared Equity redemption payments as set out in the report; and
- (c) That the Community and Enterprise Overview and Scrutiny Committee receives an annual monitoring report on the Commuted Sums and Shared Equity redemption payments.

167. REVENUE BUDGET MONITORING 2016/17 (MONTH 10)

The Finance Manager introduced the Revenue Budget Monitoring 2016/17 (Month 10) report which provided the latest revenue budget monitoring position for the Council Fund and Housing Revenue Account based on actual income and expenditure. The report projected how the budget would stand at the close of the financial year if all things remained equal.

The projected year end position, without any further action to reduce cost pressures or to identify new efficiencies was:

Council Fund

- The net in year position comprised of an operating deficit of £0.705m; a decrease in the deficit of £0.095m from the position reported last month;
- The overall projected in-year position included £2.886m due to the change in accounting policy for Minimum Revenue Provision (MRP) as agreed by County Council. This had the effect of eliminating the operating deficit and net spend was projected to be £2.181m lower than budget; and
- Projected contingency reserve balance of £5.333m.

Housing Revenue Account

- Net in year expenditure forecast to be £0.037m greater than budget; and
- Projected closing balance as at 31st March 2017 of £1.061m.

The report covered significant budget movements; programme of efficiencies; inflation; reserves and balances; and an overview of the Housing Revenue Account.

Work on income generation was underway and the following areas had been identified as new sources of income which were recommended for implementation:

- Charging for street naming and numbering, which, if implemented from 1st April 2017, could generate an additional £0.023m; and
- Revised charging structure for Deputyship and Court of Protection services which, if implemented on 1st April 2017 could generate £0.050m.

On un-earmarked reserves, the Finance Manager explained that due diligence on Holywell Leisure Centre Community Asset Transfer (CAT) and the setup of the new ADMs showed that a one off investment of £0.050m, which supported initial set up costs and enabled final technical support, would assure delivery of next year's significant budget savings.

On earmarked reserves, a request had been made to create a £0.100m reserve for the Catering Service. That would be funded by current underspends within the service and would be used for one off investment costs when the service was transferred to the Alternative Delivery Model (ADM) in the next financial year.

The report had been considered at Corporate Resources Overview and Scrutiny Committee the previous week and no issues had been raised.

RESOLVED:

- (a) That the overall report and the projected Council Fund contingency sum as at 31st March 2017 be noted, and the work on actions and options for mitigating action be supported;
- (b) That the projected final level of balances on the Housing Revenue Account be noted;
- (c) That the income generation proposals for street naming and numbering and Deputyship and Court of Protection services be approved;
- (d) That a contribution from the contingency reserve for £0.050m be approved to support initial set up costs and final technical support for the Community Asset Transfer (CAT) of Holywell Leisure Centre and Alternative Delivery Model (ADM); and
- (e) That an earmarked reserve of £0.100m be approved for the Catering Service which will be utilised to support investment costs for the ADM.

168. QUARTER 3 IMPROVEMENT PLAN 2016/17 MONITORING REPORT

Councillor Mullin introduced the Quarter 3 Improvement Plan 2016/17 Monitoring Report which presented the monitoring of progress for the third quarter from October to December 2016.

The Chief Executive explained that it was a positive report with 95% of agreed actions being assessed as making good progress and 58% likely to achieve the desired outcome. In addition, 72% of the performance indicators met or exceeded the target for the quarter. Risks were also being successfully managed with the majority being assessed as moderate (55%) or minor/insignificant (34%).

The report had been submitted to Corporate Resources Overview and Scrutiny Committee and no issues had been raised.

RESOLVED

- (a) That the following be agreed:
 - The levels of progress and confidence in the achievement of high level activities which seek to deliver the impacts of the Improvement Plan;
 - The performance against Improvement Plan performance indicators; and
 - The current risk levels for the risks identified in the Improvement Plan
- (b) That Members be assured by plans and actions to manage the delivery of the 2016/17 Improvement Plan subject to the comments of the Overview and Scrutiny Committee reviews.

169. PRIVATE SECTOR STOCK CONDITION SURVEY 2016

Councillor Brown introduced the Private Sector Stock Condition Survey 2016 report which summarised the key findings from the 2016 private sector stock condition survey.

The survey was based on a sample of 1,223 dwellings and provided a benchmark of housing condition in Flintshire compared to a 2010 survey and the wider Wales or England context. The stock had improved in condition since the 2010 benchmark survey with the greatest incidence of poorer quality dwellings being in the growing private rented sector.

The private rented sector had grown in significance in Flintshire and had a number of key areas of concern:

- Almost 40% of tenants had been living at the address for less than 2 years; with a consequent impact on the stability of households and on community cohesion;
- Private rented homes were more likely to be in a poor condition with 25.4% in a non-decent condition compare to 18.1% for Flintshire as a whole; and
- Private rented homes were likely to be more energy inefficient with an average Standard Assessment Procedure (SAP) rating of 56 compared to 59 for Flintshire as a whole.

The Council would continue to seek external funding to deliver improvements to the condition and energy efficiency of the private sector housing stock in the most deprived areas of Flintshire.

RESOLVED:

That the key points arising from the 2016 private sector stock condition survey be reviewed.

170. AN OUTLINE PLAN FOR PLAY AREA AND ALL WEATHER PITCH CAPITAL EXPENDITURE

Councillor Kevin Jones introduced the Outline Plan for Play Areas and All Weather Pitch Capital Expenditure report which was based on need.

The Council Fund Capital Programme had approved amounts for future expenditure on play areas and all weather pitches which was in addition to the £0.105m revenue per annum for play area match funding schemes.

The Council had a number of all weather sports pitches in the County that were in need of significant investment. Those at Mold Alun and Hawarden were both over 10 years old and were the highest priority to replace. The six pitches at Deeside Leisure Centre were 7 years old, received significant use and generated substantial

income. Their original anticipated lifespan and payback period for investment was 7 years so a replacement programme was needed.

Following an independent play survey for play areas the proposal for carrying out works in 2017/18 were for the following areas which would mean those play areas were no longer rated as red:

- Min Awel, Flint £0.025m;
- Ffynnongroyw £0.025m;
- Dee View Road, Connah's Quay £0.025m; and
- Bron y Wern, Bagillt £0.025m.

A priority for years 2 and 3 would be the play area at Bailey Hill which was a red rated play area and was being considered as part of a wider Heritage Lottery Fund development scheme although the scheme was not eligible to fund the play area. The remaining priority areas for years 2 and 3 were the other red rated play areas which were outlined in the report.

Based on the needs and priorities outlined in the report it was proposed that subject to final costings the initial programme that was considered feasible for 2017/18 was as follows:

Mold Alun High School all weather pitch;
Hawarden High School all weather pitch;
Deeside Leisure Centre all weather pitches 1 and 2;
Bron y Wern play area, Bagillt;
Min Awel play area, Flint;
Ffynnongroyw play area; and
Dee View Road, Connah's Quay.

That would leave the remaining all weather pitches and play areas identified in the report as priorities for years 2 and 3 with agreement of a final plan each year being submitted to Cabinet. The play area match funding scheme would aim to support any red rated play areas that could not be afforded within the overall scheme or if all could be afforded then the improvement of amber rated play areas would be supported.

Members welcomed the commitment given to play areas and all weather pitches, particularly the rolling scheme for replacement, based on priority, which would benefit schools and the wider communities throughout the County.

RESOLVED:

That the outline plan for capital expenditure on play areas and all weather pitches as outlined in the report be agreed.

171. LANDFILL MANAGEMENT AND GAS ENGINE MAINTENANCE CONTRACT

Councillor Kevin Jones introduced the Landfill Management and Gas Engine Maintenance Contract report.

The Council owned two active landfill sites at Standard Industrial Estate and Brookhill Industrial Estate in Buckley and approval of the Commissioning Form was sought which would allow the service to procure a single supplier for both the general landfill maintenance and gas engine/leachate plant management.

The Chief Officer (Streetscene and Transportation) explained that details of the scope of the proposed contract was outlined in the report. The new contract would protect budgets and remediate future pressures from the operations at the two landfill sites. The proposals would ensure that the Council managed the asset in the most environmentally friendly manner and would maximise and protect the Council from fluctuations in energy production levels in future years.

RESOLVED:

That the Commissioning Form for Landfill Maintenance, Gas Engine and Leachate Plant management, as required by the Contract Procedure Rules, be approved.

172. SCHOOL ADMISSION ARRANGEMENTS

Councillor Bithell introduced the School Admission Arrangements 2018 report which provided details of the statutory consultation exercise on the admissions arrangements for September 2018.

During the consultation process a comment had been received from a primary headteacher on admission from Nursery to Reception in the light of several Nursery pupils not being able to gain places in the Reception class at the same school the previous year. The suggestion was that Nursery education should be made statutory or that the provision should be taken away entirely. That view was also reflected amongst some other primary headteachers. However, local authorities were constrained by the Welsh Government School Admission Code which clearly stated that attendance at Nursery was not statutory and could have no bearing on the allocation of places at Reception.

The admissions timetable had been drawn up in consultation with neighbouring authorities and took into account factors such as allowing parents sufficient time to visit schools and express their preferences. There were no changes proposed to the admissions criteria however the opportunity had been taken to amend the wording to urge parents to express more than one preference for a school.

RESOLVED:

That the proposed admission arrangements for 2018/19 be approved.

173. REPORT BACK FROM THE CALL-IN OF DECISION NO. 3358 – DEESIDE PLAN

The Chief Officer (Governance) introduced the report on the Call-In Decision on the Deeside Plan, Record of Decision No. 3358, which had been considered at Cabinet on 14th February.

The Call-In was held at the Community and Enterprise Overview and Scrutiny Committee on 8th March and following lengthy consideration, the decision was Option 2 'that the explanation be accepted but not endorsed by the Overview and Scrutiny Committee'. Therefore, the decision could be implemented with immediate effect.

RESOLVED:

That the resolution of the Community and Enterprise Overview and Scrutiny Committee on Record of Decision No. 3358 be noted.

174. EXERCISE OF DELEGATED POWERS

An information item on the actions taken under delegated powers was submitted. The actions were as set out below:-

Streetscene and Transportation

- **The Flintshire County Council (Service Road off the A5119 Northop Road, Flint Mountain, Flint) (Prohibition of Driving) Order 20-**
To advise Members of objections received following the advertisement of The Flintshire County Council (Service Road off the A5119 Northop Road, Flint Mountain, Flint) (Prohibition of Driving) Order 20-.

Organisational Change

- **Land to the Rear of the Civic Amenity Site, Prince William Avenue, Sandycroft**
The subjects comprise a rectangular parcel of land and waste material to the rear of the new Civic Amenity site extending to approximately 3,600 square metres.

RESOLVED:

That the actions taken under delegated powers be noted.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded for the remainder of the meeting for the following items by virtue of exempt information under paragraph 15 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

175. COMMUNITIES FIRST

Councillor Butler presented the Communities First report which set out the implications of the process in Flintshire and the main priorities for the programme in its final year of operation.

RESOLVED:

- (a) That the impact of the Welsh Government announcements on the Communities First programme in Flintshire be noted and the proposed programme of activity for 2017/18 be supported; and
- (b) That delegated authority be given to the Cabinet Member for Economic Development and the Chief Officer (Community and Enterprise) to develop and implement a new staffing structure for the Communities First programme to meet the new funding allocation and the new priorities. This exceptional request is due to the short period given by Welsh Government between the announcement of funding and the financial year end.

176. ALTERNATIVE DELIVERY MODEL SOCIAL CARE LEARNING DISABILITY DAY CARE AND WORK OPPORTUNITY SERVICES

Councillor Christine Jones, the Chief Executive and the Chief Officer (Social Services) introduced the Alternative Delivery Model Social Care Learning Disability Day Care and Work Opportunity Services report which recommended the award of the contract to Home Farm Trust for the delivery of the Services in Flintshire.

RESOLVED:

- (a) That the appointment of Home Farm Trust as a partner to provide Learning Disability Day Care and Work Opportunity Services be approved, and that delegated authority be given to the Chief Executive and Leader in consultation with the Chief Officer (Social Services) and the Cabinet Member for Social Services to agree that these conditions have been met for the award of the contract:-
 - Finalisation of work and diligence on Transfer of Undertaking Protection of Employment (TUPE) and pensions;
 - Finalisation of terms and conditions of employment and remuneration rates for new starters to the service;
 - Finalisation of contract; and
 - Robust governance and contract monitoring processes are put in place to ensure quality of service is maintained and improved

Having earlier declared a personal and prejudicial interest, Councillor Kevin Jones left the room during the discussion.

177. MEMBERS OF THE PRESS AND PUBLIC IN ATTENDANCE

There were no members of the public and one member of the press in attendance.

(The meeting commenced at 9.30am and ended at 11.22 a.m.)

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Chair